

Message Text

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ORIGIN EB-11

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FM SECSTATE WASHDC

TO AMEMBASSY GEORGETOWN IMMEDIATE

LIMITED OFFICIAL USE STATE ,41872

E.O. 11652: N/A

TAGS: ETRN, 6Y

SUBJECT: CIVAIR: PAN AM DISPUTE WITH GOG OVER LANDING
RIGHTS

REF: GEORGETOWN 1092

1. GOG DENIAL OF LANDING RIGHTS TO PAN AM AS RESULT CONTROVERSY OVER FEES WOULD, IN USG VIEW, BE INCONSISTENT WITH PRINCIPLES OF RECIPROCITY AND COMITY WHICH HAVE GOVERNED OUR CIVIL AVIATION RELATIONS WITH GUYANA UP TO NOW AND WHICH WERE, FOR EXAMPLE, BASIS FOR ISSUANCE OF FOREIGN AIR CARRIER PERMIT BY CAB TO GUYANA AIRWAYS. SHOULD SUCH ACTION BE TAKEN BY GOG, DEPT PROBABLY WOULD INSTRUCT EMBASSY MAKE REPRESENTATION ALONG THESE LINES.

2. SEIZURE OF PAN AM AIRCRAFT COULD, ACCORDING PAN AM SOURCES, BE MORE SERIOUS OPERATIONAL MATTER SINCE SCHEDULE
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REARRANGEMENTS AND LOSS OF USE COULD COST AIRLINE MORE IN

ONE WEEK THAN TOTAL AMOUNT OF CLAIM, THEY SAY. HOWEVER, IF SEIZURE WERE ACCOMPLISHED WITHIN A FRAMEWORK MEETING INTERNATIONALLY ACCEPTED JUDICIAL PROCEDURES FOR FAIRNESS, THERE IS LITTLE USG OR EMBASSY COULD DO EXCEPT EXPRESS REGRET UNOFFICIALLY THAT SUCH A RELATIVELY MINOR MATTER, WHILE STILL UNDER DISCUSSION, COULD HAVE LED TO WHAT COULD ONLY BE VIEWED AS AN EXTREME AND UNUSUAL STEP AND ONE WHICH, UNFORTUNATELY, COULD ONLY DESTABILIZE US-GUYANA CIVIL RELATIONS TO SOME EXTENT.

3. IF SEIZURE RESULT OF ABRUPT ACTION AND WITHOUT GENERALLY ACCEPTED PROPER LEGAL PROCESS, OR WITHOUT ALLOWING PAN AM REASONABLE CHANCE TO RESPOND, DEPT WOULD PROBABLY INSTRUCT EMBASSY MAKE FAIRLY STIFF PROTEST REQUESTING IMMEDIATE RELEASE OF AIRCRAFT.

4. ALTHOUGH DEPT UNAWARE WHAT PLANS PAN AM LAWYERS HERE AND NEW YORK MAY HAVE MADE, OR STATUS CURRENT PAN AM THINKING WITH RESPECT DESIRABILITY CONTINUING SERVICE AT GEORGETOWN IN VIEW THIS INCIDENT AND PAST HISTORY, SEEMS TO US OBVIOUS THAT CONTROVERSY COULD BE DEFUSED FOR MOMENT BY PAN AM OFFER TO DEPOSIT SUM COVERING AMOUNT OF CLAIM, TO BE HELD IN ESCROW PENDING RESOLUTION OF MATTER. WE HAVE SUGGESTED THIS INFORMALLY TO PAN AM. APPRECIATE EMBASSY VIEWS AS TO LIKELIHOOD PAN AM RECOVERING DEPOSIT IN EVENT MATTER SEEMED BE GOING AGAINST GOG. SISCO

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